



Order Filed on February 20, 2020
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1

DENISE CARLON, ESQUIRE

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Attorneys for Movant

Select Portfolio Servicing, Inc.

In Re:

Morgan P. Levally,

Debtor.

Case No.: 19-23417 JNP

Adv. No.:

Hearing Date: 11/16/19 @ 9:00 a.m.

Judge: Jerrold N. Poslusny, Jr.

**ORDER RESOLVING SECURED CREDITOR'S OBJECTION TO DEBTORS'
CHAPTER 13 PLAN**

The relief set forth on the following pages, numbered two (2) through two (2) is hereby
ORDERED

DATED: February 20, 2020

A handwritten signature in dark ink, appearing to read "Jerrold N. Poslusny, Jr.", is written over a horizontal line.

Honorable Jerrold N. Poslusny, Jr.
United States Bankruptcy Court

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Debtor: Morgan P. Levally

Case No.: 19-23417 JNP

Caption: **ORDER RESOLVING SECURED CREDITOR'S OBJECTION TO
DEBTORS' CHAPTER 13 PLAN**

This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, Select Portfolio Servicing, Inc. not in its individual capacity but solely as trustee on behalf of OWS REMIC Trust 2013-2, holder of a mortgage on real property located at 105 Firth Drive, Mantua, NJ, 08051, Denise Carlon appearing, by way of objection to the confirmation of Debtors' Chapter 13 Plan, and this Court having considered the representations of attorneys for Secured Creditor and Eric Clayman, Esquire, attorney for Debtor, Morgan P. Levally, and for good cause having been shown;

It **ORDERED, ADJUDGED and DECREED** that Debtors shall obtain a loan modification by March 1, 2020, or as may be extended by modified plan; and

It is **FURTHER ORDERED, ADJUDGED and DECREED** that the Debtor is to make regular post-petition payments outside of the plan in accordance with the terms of the note and mortgage and applicable payment change notices while the loan modification is pending; and

It is **FURTHER ORDERED, ADJUDGED and DECREED** that the Trustee is not to pay the arrears while the loan modification is pending; and

It is further **ORDERED, ADJUDGED and DECREED** that the Secured Creditor does not waive its rights to the pre-petition arrears or any post-petition arrears that may accrue; and

It is **FURTHER ORDERED, ADJUDGED and DECREED** that if the loan modification is not successful, Debtor shall modify the plan to otherwise address Secured Creditor's claim; and

It is **FURTHER ORDERED, ADJUDGED and DECREED** that Secured Creditor's objection to confirmation is hereby resolved.

Certificate of Notice Page 3 of 3

United States Bankruptcy Court
District of New JerseyIn re:
Morgan P Levally
Patricia E Levally
DebtorsCase No. 19-23417-JNP
Chapter 13**CERTIFICATE OF NOTICE**

District/off: 0312-1

User: admin
Form ID: pdf903Page 1 of 1
Total Noticed: 1

Date Rcvd: Feb 20, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Feb 22, 2020.

db/jdb +Morgan P Levally, Patricia E Levally, 105 Firth Drive, Mantua, NJ 08051-1903

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Feb 22, 2020

Signature: /s/Joseph Speetjens**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on February 20, 2020 at the address(es) listed below:

Aleisha Candace Jennings on behalf of Creditor USAA FEDERAL SAVINGS BANK ajennings@rasflaw.com
 David Nigro on behalf of Joint Debtor Patricia E Levally jenkins.clayman@verizon.net
 David Nigro on behalf of Debtor Morgan P Levally jenkins.clayman@verizon.net
 Denise E. Carlon on behalf of Creditor Select Portfolio Servicing, Inc.
 dcarlon@kmlawgroup.com, bkggroup@kmlawgroup.com
 Eric Clayman on behalf of Joint Debtor Patricia E Levally jenkins.clayman@verizon.net,
 connor@jenkinsclayman.com
 Eric Clayman on behalf of Debtor Morgan P Levally jenkins.clayman@verizon.net,
 connor@jenkinsclayman.com
 Harold N. Kaplan on behalf of Creditor Select Portfolio Servicing, Inc. hkaplan@rasnj.com,
 informationathnk@aol.com
 Harold N. Kaplan on behalf of Creditor Nationstar Mortgage LLC hkaplan@rasnj.com,
 informationathnk@aol.com
 Harold N. Kaplan on behalf of Creditor NATIONSTAR MORTGAGE LLC D/B/A MR. COOPER
 hkaplan@rasnj.com, informationathnk@aol.com
 Isabel C. Balboa ecfmil@standingtrustee.com, summarymail@standingtrustee.com
 Isabel C. Balboa on behalf of Trustee Isabel C. Balboa ecfmil@standingtrustee.com,
 summarymail@standingtrustee.com
 Rebecca Ann Solarz on behalf of Creditor Select Portfolio Servicing, Inc.
 rsolarz@kmlawgroup.com
 Stephanie F. Ritigstein on behalf of Joint Debtor Patricia E Levally
 jenkins.clayman@verizon.net, connor@jenkinsclayman.com
 Stephanie F. Ritigstein on behalf of Debtor Morgan P Levally jenkins.clayman@verizon.net,
 connor@jenkinsclayman.com
 U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 15